

THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

ANN KISTLER TEAGUE,)
Plaintiff,)
)
v.) Civil Action No. 3:11-CV-340-FDW-DSC
)
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
Defendant.)

ORDER

THIS MATTER IS BEFORE THE COURT on the “Consent Motion For Entry Of Order Accepting The Parties’ Settlement Agreement On Attorney’s Fees” (document #22) filed on April 16, 2012. The parties agree in this case that Plaintiff should be awarded an attorney’s fee under the Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412(d), in the amount of \$4,376.86.

IT IS ORDERED that the Consent Motion For Entry Of Order Accepting The Parties’ Settlement Agreement On Attorney’s Fees is **GRANTED**, to the extent that the Court will award attorney’s fees in the amount of \$4,376.86, and that pursuant to Comm'r of Soc. Sec. v. Ratliff, ---- U.S. ----, 130 S.Ct. 2521 (2010), the fee award will first be subject to offset of any debt Plaintiff may owe to the United States. The Commissioner will determine within thirty (30) days of this Order whether Plaintiff owes a debt to the United States. If so, the debt will be satisfied first, and if any funds remain, they will be made payable to Plaintiff and mailed to Plaintiff’s counsel. If the United States Department of the Treasury reports to the Commissioner that the Plaintiff does not owe a federal debt, the Government will exercise its discretion and honor the Plaintiff’s July 11, 2011 assignment of EAJA fees, and pay the fees awarded directly to Plaintiff’s counsel. No additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.

SO ORDERED.

Signed: April 23, 2012

D S Cayer

David S. Cayer
United States Magistrate Judge

